

06-0-2217

**CITY COUNCIL  
ATLANTA, GEORGIA**

06-O-\*\*\*\*

**AN ORDINANCE  
BY FINANCE/ EXECUTIVE COMMITTEE**

**AN ORDINANCE TO ENACT A NEW SECTION TO PART TWO, ARTICLE X, DIVISION 12, KNOWN AS "THE VENDOR RELATIONS ORDINANCE"; TO ALLOW THE CITY OF ATLANTA TO MAINTAIN DATA ON THE PERFORMANCE OF CONTRACTORS AND VENDORS IN ORDER TO ENSURE THAT PURCHASES ARE MADE FROM AND CONTRACTS ARE AWARDED TO, RESPONSIBLE CONTRACTORS ONLY; TO REQUIRE VENDORS AND CONTRACTORS TO FILE A VENDOR INFORMATION QUESTIONNAIRE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has a need to maintain data on the performance of its contractors and vendors in order to ensure that purchases are made from, and contracts are awarded to, responsible prospective contractors only; and

**WHEREAS**, the award of a contract to a contractor based on lowest evaluated price alone can be false economy if there is subsequent default, improper or exaggerated claims, late deliveries, or other unsatisfactory performance, resulting in additional contractual and administrative costs; and

**WHEREAS**, a prospective contractor must affirmatively demonstrate its responsibility, including, when necessary, the responsibility of proposed subcontractors; and

**WHEREAS**, the City of Atlanta is committed to continuing its efforts to gather data and information to enable the City of Atlanta to determine whether businesses are conducting themselves in a manner that provides open contracting opportunities to all businesses; and

**WHEREAS**, the City has not historically managed its relationship with vendors in a manner that allowed information about vendors, which is developed after the award of a contract, to be gathered and maintained in a central repository which is accessible to all City departments and contains historical data on all of a vendor's interactions with City government.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**SECTION 1:** That Part Two, Division 12 of the Code of Ordinances of the City of Atlanta, be amended to include the following sections in formerly Reserved Sections 2-1465 through Section 2-1480:

## **Division 13. Vendor Relations Ordinance**

### **Section 2-1465. Short Title.**

This division shall be known as the City of Atlanta's "Vendor Relations Ordinance."

### **Section 2-1466. General Policy.**

The City of Atlanta has a need to maintain data on the performance of its Vendors in order to ensure that purchases are made from, and contracts are awarded to, responsible prospective contractors only. The award of a contract to a contractor based on lowest evaluated price alone can be false economy if there is subsequent default, improper or exaggerated claims, late deliveries, or other unsatisfactory performance, resulting in additional contractual and administrative costs. While it is important that City purchases be made at the lowest price, this does not require an award to a contractor solely because that contractor submits the lowest offer. A prospective contractor must affirmatively demonstrate its responsibility, including, when necessary, the responsibility of proposed subcontractors.

The Department of Procurement has responsibility for making determinations of responsibility with input from the using departments and the Office of Contract Compliance. In addition to information gathered about a Bidder during the Bid process, it is important that the City gather information regarding the responsibility of the Contractor throughout the term of the contract, including without limitation data regarding the Contractor's interactions with the City, and maintain said information in a central repository which is accessible to all City departments. It is the policy of the City of Atlanta to manage Vendor relations proactively.

One aspect of responsibility is the vendor's compliance with the City's non-discrimination policy. It is the policy of the City of Atlanta not to discriminate, either directly or indirectly, against persons because of race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, political affiliation, disability, age, gender identity or racial profiling. To that end, the City has the right to take any measures it deems appropriate to ensure that it is not a passive participant in public or private sector discrimination by the Vendors with whom it contracts.

### **Section 2-1467. Definitions.**

The following, words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Atlanta Region* shall mean the geographical area consisting of Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Henry, Newton, Paulding, Pickens, Rockdale, Spalding and Walton counties.

*Bid* shall mean a quotation, proposal, sealed bid or offer to perform or provide labor, materials, supplies or services to the City for a price for an Eligible Project, or for an Eligible Project that generates revenue for the City.

*Bidder* shall mean any individual, sole proprietorship, partnership, joint venture, or corporation that submits a Bid to the City of Atlanta.

*City* shall mean the City of Atlanta.

*Contractor* shall mean all individuals, sole proprietorships, partnerships, joint ventures, or corporations who enter into a contract with the City as a prime contractor. The term "Contractor" shall be used synonymously with the term "Vendor" herein.

*Eligible Project* shall mean:

- (1) Any city contract as described in section 2-1188 and section 2-1189, excluding small purchases not exceeding \$100,000.00 under section 2-1190, sole source procurement under section 2-1191, emergency procurement under section 2-1192, and contracts governed by 49 CFR Parts 23 and 26.
- (2) For purposes of this division, contract or project "value" shall mean either the expenditure of funds by the city on said contract, or the amount of revenue generated for the city by a contractor as a direct result of a city contract.

*Non-Discrimination Policy* shall mean the following: It is the policy of the City of Atlanta not to discriminate, either directly or indirectly, against persons because of race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, political affiliation, disability, age, gender identity or racial profiling.

*Officer* shall mean any individual who serves as the chief executive officer, chief financial officer, or chief operating officer of the contractor, by whatever titles known.

*Respondent* shall mean the individual, sole proprietorship, partnership, joint venture, or corporation that is the subject of a VIQ.

*RFQ* shall mean a Request for Qualifications on an Eligible Project.

*RFQ Proponent* shall mean an individual, sole proprietorship, partnership, joint venture, or corporation that submits a proposal in response to a City RFQ.

*Subcontract* shall mean any contract between a subcontractor and a Contractor.

*Subcontractor* shall mean any individual, sole proprietorship, partnership, joint venture, or corporation which is engaged by a Contractor pursuant to a contract with the City, or which is proposed to be utilized by a Bidder in a Bid submitted to the City.

*Vendor* shall mean all individuals, sole proprietorships, partnerships, joint ventures, or corporations who enter into a contract with the City as a prime contractor. The term "Vendor" shall be used synonymously with the term "Contractor" herein.

*VIQ* shall mean the Vendor Information Questionnaire, as described in this Division herein below.

#### **Section 2-1468. Implementation.**

This Division shall be implemented by the Mayor's Office of Contract Compliance.

#### **Section 2-1469. Vendor Information Questionnaire- General Requirements.**

- (1) Obligation to File Vendor Information Questionnaire. The City shall require a completed VIQ, that is current, truthful, and accurate, to be submitted as follows:
  - (a) By every Contractor after notification of award of an Eligible Project by the Atlanta City Council to the Contractor, but prior to the execution of the City Contract.
  - (b) By any Subcontractor performing work on a City project, pursuant to a request of the Office of Contract Compliance. The Office of Contract Compliance shall require a Subcontractor to file a VIQ where the value of the subcontracts received by said Subcontractor on city projects in the immediately preceding twelve months exceeds \$100,000. The Subcontractor shall submit the completed VIQ to the Office of Contract Compliance within thirty days after the Office of Contract Compliance requests the VIQ.
  - (c) Any Contractor that receives an Emergency Procurement contract from the City that has a value of greater than \$20,000 shall

submit a VIQ to the Office of Contract of Compliance within thirty days of the full execution of the contract.

(d) Any Contractor that receives a sole source contract from the City that has a value of greater than \$100,000.00 shall submit a VIQ to the Office of Contract of Compliance within thirty days of the full execution of the contract.

(e) A VIQ shall expire after two years. Any Contractor whose VIQ has expired, and who is still performing work for the City, must submit a new completed VIQ with current information to the Office of Contract Compliance. In addition, any Subcontractor that submitted a VIQ pursuant to subsection (1)(b) above, and that continues to perform Subcontract work on a City project, must submit a new completed VIQ with current information to the Office of Contract Compliance.

(f) Any Contractor or Subcontractor required to submit a VIQ pursuant to subsections (1)(a) through (1)(d) above may submit a completed VIQ that was previously submitted to the City as long as the VIQ is less than two years old. A VIQ that is less than two years old shall be deemed "current".

- (2) Waiver Request. Where a Contractor or Subcontractor is unable to complete the VIQ in a timely fashion, s/he shall complete as much of the VIQ as s/he is able, and shall submit the VIQ in the timeframe provided in subsection 2-1469 (1) above along with a waiver request for that portion of the VIQ that s/he feels unable to complete. The waiver request shall provide a detailed explanation of why s/he is unable to obtain the remainder of the information, and when, if ever, the information will become available. The waiver request must document and provide evidence of all good faith efforts utilized to obtain the required information. The Office of Contract Compliance shall determine in writing whether to grant the waiver request. The written determination shall set forth with particularity the basis for the decision, shall set forth which information, if any, may be submitted late, shall set forth the reasons for the late completion of the filing, shall include the specific date by which the information shall be submitted, and shall set forth which information, if any, need not be provided at any time and the reason therefore.

- (3) Contract Terms and Conditions.

- (a) All emergency procurement contracts and sole source contracts valued at greater than \$100,000.00, and all contracts with Bidders who were granted a waiver pursuant to subsection 2-1469 (2) above but are required to complete the VIQ within a time certain, shall contain a clause requiring the submission of the completed VIQ within the required time period as a material term and condition of the contract. Where the

Contractor does not fulfill this obligation, the Office of Contract Compliance, in consultation with the Chief Procurement Officer, may impose one or more of the penalties set forth below in this subsection (a). The contract shall indicate that failure to abide by this material term and condition may result in one or more of the following penalties:

- (i) Failure to submit the VIQ shall be deemed a continuing offense, and the Contractor may be fined \$1,000 per day until the completed VIQ is submitted to the Office of Contract Compliance. The amount of said fine may be withheld by the City from the payments owed to the Contractor.
  - (ii) The City may terminate the Contractor's contract with the City without penalty to the City.
  - (iii) The City shall deem the Contractor ineligible to bid or propose or otherwise be awarded a further contract with the City until the completed VIQ is submitted to the Office of Contract Compliance.
- (b) Every City contract shall contain a clause indicating that where the Office of Contract Compliance finds that the VIQ submitted by the Contractor is not current, truthful and/or accurate, the City may terminate the Contractor's contract without penalty to the City.
- (c) City contracts shall contain a clause requiring Contractors to notify Subcontractors of their obligation to complete and file a VIQ where the value of the subcontracts received by said Subcontractor on city projects in the immediately preceding twelve months exceeds \$100,000. The clause should indicate that the Subcontractor will need to file the VIQ within thirty days after receiving a request from the Office of Contract Compliance Officer. The clause shall indicate that where the Office of Contract Compliance finds that the VIQ submitted by the Subcontractor is not current, truthful and/or accurate, the City may require the Contractor to remove the Subcontractor from the City project without penalty to the City.
- (4) Communication with Chief Procurement Officer. Within three business days of determining whether the submitted VIQ is complete, the Office of Contract Compliance shall provide a letter to the Chief Procurement Officer indicating its determination. Where the Office of Contract Compliance determines that a Respondent should be granted a waiver, the letter regarding the waiver, as described in subsection 2-1469 (2) above, shall also be provided to the Chief Procurement

Officer within three business days of making the determination. In the event that a waiver is granted pursuant to subsection 2-1469 (2) above, and the Respondent is required to submit the completed VIQ within a time certain, the Office of Contract Compliance shall submit to the Chief Procurement Office written documentation indicating whether the Respondent timely submitted the completed VIQ to the Office of Contract Compliance. This written determination shall be given to the Chief Procurement Officer within three business days of the deadline provided to the waiver recipient. Any time that the Office of Contract Compliance determines that a VIQ is not current, truthful and/or accurate, it shall notify the Chief Procurement Officer in writing within three business days, and the Respondent shall be subject to the penalties set forth in section 2-1471(4) below.

**Section 2-1470. Contents of Vendor Information Questionnaire.**

The Vendor Information Questionnaire shall be created by the Office of Contract Compliance in a form and manner to be determined by the Director of the Office of Contract Compliance, and shall require that the Respondent provide, at a minimum, the following:

- 1) A list of each contract performed by the contractor during the previous twelve months, including the name of the contract and the contract owner.
- 2) A list of all subcontractors and suppliers utilized by the contractor during the previous twelve months, including the race and gender of the owner(s) of each of the subcontractors and suppliers.
- 3) For the two largest contracts (as determined by dollar value) performed during the previous twelve months, the dollar amount paid to the Contractor for each project, a list of all the subcontractors and suppliers used on each project including the dollar amounts paid to each subcontractor and supplier, the type of work performed or goods and supplies provided by each subcontractor and supplier, and the race and gender of the subcontractors'/supplier' owner(s).
- 4) If information on the names of subcontractors and suppliers is proprietary based on the law or professional standards, the Respondent may fulfill the requirements of numbers (2) and (3) above by listing each subcontractor utilized without a name, but providing the race and gender ownership of each, the type of work performed by each, and the amount paid to each during the past twelve months, as well as on the Contractor's largest two projects.
- 5) The VIQ must be provided to OCC in an electronic form in a manner to be prescribed by the Director of the Office of Contract Compliance

**Section 2-1471. Vendor Relations Database**

- (1) The Office of Contract Compliance shall maintain a Vendor Relations Database in electronic form, which is accessible to appropriate officials in all City Departments.
- (2) All City Departments are directed to maintain information, in an electronic form, on the performance of vendors on City Contracts and to transmit this information periodically, but in all instances no later than every six months plus one month after the end of each Eligible Project, to the Director of the Office of Contract Compliance.
- (3) The Vendor Relations Database shall include all Vendor performance information generated during the process of administering City Contracts by all City Departments, including:
  - (a) Vendor Performance Evaluations;
  - (b) Determinations of unsatisfactory Vendor performance on City Contracts;
  - (c) Communications to the Vendor regarding unsatisfactory Vendor performance on City Contracts;
  - (d) Results of formal City investigations into reports of unethical or illegal behavior by Vendors by the Department of Law;
  - (e) Findings from the investigation of allegations of discrimination by the Office of Contract Compliance;
  - (f) Copies of all change order requests by the Vendor from the Department of Finance;
  - (g) Reports of federal wage and hour violations from the Office of Grants Management;
  - (h) Information on insurance lapses during the performance of City Contracts from the Department of Finance;
  - (i) Information on previous debarments or suspensions from City or other governmental projects; and
  - (j) Any other information which could be significant in assisting the Chief Procurement Officer in making a determination of Contractor responsibility.
- (4) The Director of the Office of Contract Compliance shall notify the Chief Procurement Officer when s/he enters into the Vendor Relations File negative information that could lead to a determination by the Chief Procurement Officer that a Vendor is non-responsible.

**Section 2-1472. Investigation of Violation of Non-Discrimination Policy and VIQ Veracity.**



- (1) Authority to Investigate. The Office of Contract Compliance shall have the authority to investigate any reasonable concern that a Contractor or Subcontractor is violating the Non-Discrimination Policy in its private sector and/or public sector contracting. A reasonable concern may arise from information from any source deemed reliable by the Office of Contract Compliance that the Contractor or Subcontractor is acting in violation of the Non-discrimination Policy. As part of its investigation, the Office of Contract Compliance may review the contents of the Contractor's or subcontractor's VIQ. Where the Office of Contract Compliance makes a preliminary finding of a violation of the Non-Discrimination Policy, the Director of the Office of Contract Compliance must provide the Contractor or subcontractor an opportunity to meet with the Director, to hear the evidence gathered, to explain its actions, and to provide any evidence that it chooses to demonstrate that it did not violate the policy. The Director of the Office of Contract Compliance must consider the evidence presented by the Contractor or subcontractor prior to determining whether the Vendor violated the Non-Discrimination policy.
- (2) Notification of Chief Procurement Officer. In the event that the Office of Contract Compliance investigation results in a finding that a Contractor or subcontractor violated the Non-Discrimination Ordinance, the Director of the Office of Contract Compliance will provide written notification of said finding to the Chief Procurement Officer, including a detailed description of the basis for such finding.
- (3) The Office of Contract Compliance shall have the authority to investigate whether the information provided on a VIQ is current, truthful and accurate. As part of this investigation, the Respondent shall be provided with an opportunity to hear the evidence gathered by the Office of Contract Compliance, to explain its actions, and to show evidence that it did not intentionally provide information on the VIQ that is not current, untruthful and/or inaccurate. The Office of Contract Compliance must consider the evidence presented by the Respondent prior to making a determination. Where the Office of Contract Compliance determines that the Respondent intentionally provided information on the VIQ that is not current, truthful and/or accurate, it shall communicate this information in writing to the Chief Procurement Officer within three working days of making its finding. The Chief Procurement Officer, in consultation with the Director of the Office of Contract Compliance may impose a penalty upon the Respondent. Said penalty shall be one or more of the following:
  - (a) Withholding of ten percent of all future payments on one or more City projects on which the Contractor is working, until the Office of Contract Compliance finds that the Contractor has submitted a current, truthful, and accurate VIQ.

- (b) Withholding of all future payments on one or more City projects on which the Contractor is working, until the Office of Contract Compliance finds that the Contractor has submitted a current, truthful, and accurate VIQ.
- (c) Removal of the Subcontractor from one or more of the City projects on which it is working.
- (d) Termination of any City contract with the Contractor without penalty to the City.
- (e) Refusal of all future contracts or subcontracts with the City for a minimum of one year and a maximum of five years from the date upon which the VIQ was submitted.

**Section 2-1473. Role of Chief Procurement Officer in Determining and Requiring Responsibility.**

- (1) Where the Director of the Office of Contract Compliance notifies the Chief Procurement Officer that s/he is entering into the Vendor Relations File negative information that could lead to a determination by the Chief Procurement Officer that a Vendor is non-responsible, pursuant to section 2-1471(4) above, the Chief Procurement Officer may begin an investigation with regard to other areas of the Vendor's responsibility. Similarly, where the Director of Contract Compliance notifies the Chief Procurement Officer of a finding that a Contractor or Subcontractor has violated the Non-Discrimination policy, pursuant to section 2-1472 (2) above, the Chief Procurement Officer shall begin an investigation with regard to other areas of the Vendor's responsibility. These additional areas of vendor responsibility may include without limitation: the character, integrity, reputation, judgment, experience, and efficiency of the Vendor; the quality of performance of previous contracts or services with the City and/or other project owners listed on the VIQ; and the previous and existing compliance by the Vendor with laws and ordinances relating to the projects listed on the VIQ.
- (2) Any Contractor or Subcontractor being investigated by the Chief Procurement Officer pursuant to this section 2-1473 shall be given an opportunity to meet with the Chief Procurement Officer, to hear the evidence gathered, to explain its actions, and to provide any evidence that it chooses to demonstrate that it is responsible. The Chief Procurement Officer must consider the evidence presented by the Vendor prior to determining whether the Vendor is responsible.
- (3) In the event that the Chief Procurement Officer finds the Vendor non-responsible, the Chief Procurement Officer may impose any of the penalties set forth in the City's Procurement Code, Section 2-1166.

- (4) In the event that the Office of Contract Compliance makes a finding that the Contractor or Subcontractor violated the Vendor Non-Discrimination Policy, pursuant to section 2-1472 (1) above, but the Chief Procurement Officer finds the Contractor or Subcontractor to be otherwise responsible, the Chief Procurement Officer, in consultation with the Director of the Office of Contract Compliance, may impose one or more of the following actions or penalties:
- (a) The Office of Contract Compliance may assist the Contractor or Subcontractor with identifying and making contact with a variety of available and qualified subcontractors and suppliers that provide goods and services in the area of trade performed by the Contractor or subcontractor.
  - (b) Withholding of ten percent of all future payments on one or more City projects on which the Contractor is working, until the Office of Contract Compliance finds that the Contractor is in compliance with the Non-Discrimination Policy.
  - (c) Withholding of all future payments on one or more City projects on which the Contractor is working, until the Office of Contract Compliance finds that the Contractor is in compliance with the Non-Discrimination Policy.
  - (d) Removal of the Subcontractor from one or more of the City projects on which it is working, without penalty to the City.
  - (e) Termination of any City contract with the Contractor without penalty to the City.
  - (f) Refusal of all future contracts or subcontracts with the City until the Office of Contract Compliance determines that the Contractor or Subcontractor has been in compliance with the Non-Discrimination Policy for at least one year.

**Section 2-1474. Appeals.**

- (1) Appeal to Procurement Hearing Officer. Where the Chief Procurement Officer finds the Vendor or subcontractor to be non-responsible pursuant to Section 2-1473 above, the Chief Procurement Officer shall notify the Vendor in writing via certified mail, setting forth in detail the basis for said finding. The entity that is the subject of the finding may appeal the finding pursuant to Section 2-1166 of the Procurement Code.
- (2) Appeal to Contract Compliance Hearing Officer. Where the Office of Contract Compliance finds the Vendor or subcontractor to be in violation of the Non-Discrimination Policy pursuant to Section 2-1472 (1), but the Chief Procurement Officer finds the Vendor or Subcontractor to be otherwise responsible, the Chief Procurement

Officer shall notify the Vendor or subcontractor in writing via certified mail, setting forth in detail the basis for said finding. In addition, where the Office of Contract Compliance finds that a Vendor or subcontractor's VIQ was not current, truthful and/or accurate, pursuant to section 2-1472 (3) above, the Chief Procurement Officer shall notify the Vendor or subcontractor in writing via certified mail, setting forth in detail the basis for said finding. The entity that is the subject of finding may appeal the decision to the Contract Compliance Hearing Officer pursuant to the following procedure:

- (a) Time for Appeal. The appellant shall submit its written appeal to the Director of the Office of Contract Compliance within seven (7) calendar days of receiving the certified notification letter. Filing of the appeal shall be accomplished by hand delivery of the appeal document to the Office of Contract Compliance during normal business hours, and shall be evidenced by the Appellant's receiving an Office of Contract Compliance date stamp on her/his copy of the appeal.
- (b) Form and Content of Appeal. The appeal shall be in writing and shall state with specificity all of the facts and legal basis upon which the appellant contests the Office of Contract Compliance finding. In addition, the Appellant shall include with its protest all supporting documentation. Within two business days of the Office of Contract Compliance's receipt of the appeal, the Office of Contract Compliance shall forward the appeal to the Contract Compliance Hearing Officer.
- (c) Contract Compliance Hearing Officer Determination. The Contract Compliance Hearing Officer shall consider the appeal, and shall hold a hearing no later than seven days after the Officer's receipt of the appeal to determine the merits of the appeal.
- (d) Notification to Appellant of Contract Compliance Hearing Officer Decision. The Contract Compliance Hearing Officer shall issue a written decision regarding the appeal within seven days of the hearing. The written decision shall provide in detail the basis for the determination. The Contract Compliance Hearing Officer shall send a copy of the decision by certified mail to the Office of Contract Compliance and to the appellant. If the Contract Compliance Hearing Officer upholds the Contract Compliance Officer's finding, the Appellant shall have the right to appeal the matter to the Fulton County Superior Court through a writ of certiorari.

**Sec. 2-1475. Non-Discrimination.**

Nothing in this section shall be construed to authorize or require any Bidder, Contractor or subcontractor to discriminate against or grant preferential treatment to any business on the basis of race, gender, ethnicity, or any other classification in connection with the identification, contact, contracting or utilization of any such business in private sector and/or public sector projects.

**Sec. 2-1476. Severability.**

If any provision of this Division or any application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this division which can be given effect without the invalid provisions or applications, and are to this end declared to be severable.

**Sec. 2-1477 through 2-1480. Reserved.**

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

## TRANSMITTAL FORM FOR LEGISLATION

TO:

MAYOR'S OFFICE

(For review & Distribution to Execution Management)

GREG PRIDGEON

Commissioner's Signature: \_\_\_\_\_  
Signature: \_\_\_\_\_

Director's

From: Origination Dept. Office of Contract Compliance Contact (name): Hubert Owens

Committee(s) Purview: \_\_\_\_\_

FINANCE/EXECUTIVE

Committee Deadline:

Committee Meeting Date(s): OCT 11, OCT 25  
OCT 16, NOV 6, 2006

City Council Meeting Date:

### CAPTION:

### AN ORDINANCE BY FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE TO ENACT A NEW SECTION TO PART TWO, ARTICLE X, DIVISION 12, KNOWN AS "THE VENDOR RELATIONS ORDINANCE"; TO ALLOW THE CITY OF ATLANTA TO MAINTAIN DATA ON THE PERFORMANCE OF CONTRACTORS AND VENDORS IN ORDER TO ENSURE THAT PURCHASES ARE MADE FROM AND CONTRACTS ARE AWARDED TO, RESPONSIBLE CONTRACTORS ONLY; TO REQUIRE VENDORS AND CONTRACTORS TO FILE A VENDOR INFORMATION QUESTIONNAIRE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

### BACKGROUND/PURPOSE/DISCUSSION:

This Ordinance seeks create a Vendor Relations Ordinance in lieu of formerly Reserved Sections 2-1465 through Sections 2-1480 of Article X, Division 12.

### FINANCIAL IMPACT (If Any):

### Mayor's Staff Only

Received by Mayor's Office:

9/29/06  
(date) JP  
(initials)

Reviewed by:

JP

Submit to Council:

9/29/06  
(date)

Action by Committee: \_\_\_\_\_ Approved \_\_\_\_\_ Adverse \_\_\_\_\_ Held \_\_\_\_\_ Amended  
\_\_\_\_\_ Substitute \_\_\_\_\_ Referred \_\_\_\_\_ Other \_\_\_\_\_

## ***Legislative White Paper***

**Committee of Purview:** Finance/Executive

**Caption**

**AN ORDINANCE TO ENACT A NEW SECTION TO PART TWO, ARTICLE X, DIVISION 12, KNOWN AS "THE VENDOR RELATIONS ORDINANCE"; TO ALLOW THE CITY OF ATLANTA TO MAINTAIN DATA ON THE PERFORMANCE OF CONTRACTORS AND VENDORS IN ORDER TO ENSURE THAT PURCHASES ARE MADE FROM AND CONTRACTS ARE AWARDED TO, RESPONSIBLE CONTRACTORS ONLY; TO REQUIRE VENDORS AND CONTRACTORS TO FILE A VENDOR INFORMATION QUESTIONNAIRE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**Council Meeting Date:**

**Legislation Title:**

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**Requesting Dept.:** Office of Contract Compliance

**Contract Type:** N/A

**Source Selection:** N/A

**Bids/Proposals Due:** N/A

**Invitations Issued:** N/A

**Number of Bids/  
Proposals Received:** N/A

**Bidders/Proponents:** N/A

**Justification Statement:** N/A

**Background:** This Ordinance seeks create a Vendor Relations Ordinance in lieu of formerly Reserved Sections 2-1465 through Sections 2-1480 of Article X, Division 12.

**Fund Account Center:** N/A

**Source of Funds:** N/A

**Fiscal Impact:** N/A

**Term of Contract:** N/A

**Method of Cost Recovery:** N/A

**Approvals:**

**DOF:**

**DOL:**

**Prepared By:** Hubert Owens

**Contact Number:** 404-330-6013